

MEMORANDUM FOR: Chairman, CIA Information Review Committee

FROM :
Information and Privacy Staff, DDA

SUBJECT : Guidelines for Declassification Review of
1946-1950 Records

1. Action Requested: Approval of attached guidelines for use by designated Agency personnel in the review of those 1946-1950 records for which the Agency has classification jurisdiction.

2. Background:

a. Designated CIA reviewers have been working since 1973 on the systematic review of World War II records falling under the Agency's classification authority. A body of experience has thereby been developed in the protection of Agency interests and equities in the course of reviewing large quantities of records, both those held by the CIA and those held in various repositories of the National Archives and Records Service.

b. Increasingly, the Agency is faced with requirements to review materials which postdate the 31 December 1945 terminal date of applicability for the guidelines under which the systematic review is now accomplished. All such requests must be sent to the Agency component(s) concerned, for review under the mandatory review provisions of E.O. 11652 (or the Freedom of Information Act or Privacy Act). This action in theory places the decision in the hands of the most informed--a theory not always borne out in fact due to the 25-30 year age of the material--but the end result is a new demand on the resources of the component, and a less-than-even application within the Agency of criteria for the retention of material in classified form.

SECRET

ADMINISTRATIVE--INTERNAL

c. The Archivist of the United States, by letter of 25 March 1975, asked that guidelines be prepared on the treatment of records of the 1946-1950 period containing information classified by the CIA or predecessor organizations. The CIA response was held off pending development and publication by USIB of model guidelines for the community, an effort which has now been underway more than two years.

3. Staff Position:

a. The Agency moved into the area of systematic review of 30-year-old records with notable caution and reservation. However, experience in this review of World War II materials has demonstrated that a high percentage of material could be declassified by CIA reviewers working under guidelines designed to protect essential intelligence interests and equities. Where particular expertise was required, as in the technical services area, the reviewers have solicited the advice or the temporary assistance of the appropriate experts, but the bulk of the review job has been performed by the designated reviewers (i.e., the annuitant team working under DDO/SS/ISG, the 2-3 man team of IPS/DDA, and those NARS individuals trained and certified in the use of CIA guidelines).

b. The attached guidelines take account of the experience derived in the review of World War II materials while recognizing the changing circumstances as U.S. intelligence adapted to postwar needs and developed its more permanent character within the U.S. Government. Those presently designated to review the World War II materials did the initial drafting and early coordination of these guidelines and hence are in the best possible position to interpret and apply them in the actual review of the 1946-1950 records.

c. The attached guidelines are based in part on actual review of records from 1946-1950 as performed by the concerned CIA components. These reviews under the mandatory review provision of E.O. 11652, the Freedom of Information Act or the Privacy Act have provided enough sampling to constitute a valid basis for the precedents cited in the guidelines.

d. The long-awaited USIB guidelines, when issued, are intended to apply to any intelligence community material approaching the 30-year mark. In lieu thereof, the only serious question regarding CIA's unilateral action on 30-year review at this time relates to the period beyond 30

years for which categories of records should remain classified. The attached guidelines propose specific periods, as required by the Executive Order, stating them within the spirit of the Order and related legislation, but leaving to the reviewers the option of "re-review" after the stated interval as an alternative to automatic declassification upon expiration of the period of extended classification.

e. The current practice of copying and sending to the components for review all records dated after 31 December 1945 is wasteful of Agency resources and probably does not insure any better protection of Agency interests and equities than is possible through centralizing the 30-year review function in reviewers vested with authority to act under the attached guidelines.

f. The attached guidelines and this memorandum have been coordinated with the Agency Directorates through their Freedom of Information officers.

4. Recommendation: That the Information Review Committee approve the attached guidelines for review of 1946-1950 records by those personnel charged with systematic classification review.

25X1A

Attachment: as stated

APPROVED: _____ Date _____

DISAPPROVED: _____ Date _____

SECRET